

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA

ORIN KRISTICH,

Plaintiff,

v.

FNU Casady, et al.,

Defendants.

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Case No. CIV-23-544-R

**ORDER**

Plaintiff Orin Kristich, a federal prisoner proceeding *pro se* and *in forma pauperis*, initiated this civil rights actions alleging that his constitutional rights were violated while he was incarcerated at Cimarron Correctional Facility. The matter was referred to United States Magistrate Judge Shon T. Erwin for initial proceedings in accordance with 28 U.S.C. § 636(b)(1)(B) and (C).

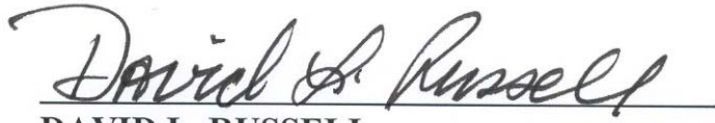
Now before the court is Judge Erwin's Report and Recommendation [Doc. No. 88] recommending that Defendant's Motion for Summary Judgment [Doc. No. 79] be denied and Plaintiff's Motion for Discovery [Doc. No. 87] be denied. Defendants did not file any objection to Judge Erwin's recommendation. The Court therefore finds that Defendants have waived further review of all issues addressed in the Report. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996).

Plaintiff did file a timely Objection [Doc. No. 89], which requires the Court to make a de novo determination of those portions of the Report to which a specific objection is

made. 28 U.S.C. § 636(b)(1); Fed R. Civ. P. 72(b)(3). However, because Plaintiff's filing does not raise any specific or substantive objection to Judge Erwin's analysis or findings, the Court likewise finds that Plaintiff has waived further review of all issues addressed in the Report.<sup>1</sup>

Accordingly, the Court ADOPTS the Report and Recommendation Doc. No. 88] in its entirety. Defendant's Motion for Summary Judgment [Doc. No. 79] is DENIED and Plaintiff's Request for Discovery [Doc. No. 87] is DENIED.

IT IS SO ORDERED this 27th day of February, 2025.

  
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DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Plaintiff's objection requests that the Court enter a scheduling order and appoint him counsel. Upon review of the case, the Court has determined that the interest of justice would be advanced by requesting legal representation for Plaintiff. The Court will address this issue further in a separate order.